



October 31, 2016

David Sholes
Central Valley Regional Water Quality Control Board
11020 Sun Center Drive, #200
Rancho Cordova, CA 95670-6114

Re: Comments on the Westside Water Quality Coalition Groundwater Quality Management Plan

Dear Mr. Sholes,

Thank you for the opportunity to provide comments on the Westside Water Quality Coalition Groundwater Quality Management Plan (GQMP or Plan). As currently drafted this Plan does little to address nitrate contamination within its area, ignoring the impacts agriculture has upon groundwater quality and fails to provide clear workplans for implementing the requirements of the Order. The Plan thus neither complies with requirements included in the Order, the Irrigated Regulatory Program, the Basin Plan, nor the Porter Cologne Water Quality Control Act. The one area we do applaud the Coalition on is their plan for handling abandoned wells and wells lacking proper well-head protection as these are very serious vectors for contamination of groundwater.

Sources of Nitrates and Salts in Groundwater

It is concerning that the Plan repeatedly refers to the likelihood that agriculture is not the cause of the Basin's nitrates or TDS problem and yet does not include a clearly defined workplan for making that determination. Instead the Plan states it will work with the Regional Board to develop a strategy to look into the causes of nitrates and salts within the groundwater and from there determine if agriculture is the cause of those impacts. Taking the denial that agriculture contributes to salt and nitrates contamination a step further, the Plan specifically will work on a Source Identification Plan that will look at what the other sources of nitrates and salts are that is not agriculture. It is only after the study with the Regional Board that the Coalition proposes to evaluate agricultural practices and provide education and outreach, actions required under the MPEP process. Furthermore, the implementation of "approved management practices that are deemed protective of groundwater quality" are required and should not be delayed for an indeterminable period of time until this study with the Regional Board is completed. Irrigated agriculture is a known contributor to nitrates contamination throughout the Central Valley. Even if further study shows agriculture is not the sole contributor, it will show irrigated agriculture has a significant impact upon nitrate and TDS contributions and should be treated as such.

The Plan also identifies tile drains as a serious potential source of nitrate contamination, and yet does not include a management plan strategy to deal with tile drains in order to reduce or even eliminate their potential impacts. This is a serious oversight that needs to be addressed.

Prioritization

Creating a prioritization schedule, in an area with pockets of high nitrates levels, which results in no high priority areas is not useful and will not help resolve the issue of groundwater contamination in any sort of meaningful timeframe. While in general we appreciate a focus on impacts to public supply wells and disadvantaged communities, the Plan acknowledges that their prioritization metrics does not capture any of these areas.

Well abandonment and well-head protection

We do applaud the GQMP for their plan to identify all abandoned wells and currently operating wells which lack proper well-head protection. Identifying and then remediating these potential vectors for contamination is an important step in reducing contamination to the aquifer.

Management Practices Identification and Validation

Another reoccurring theme of this Plan is the fixture on data gaps. While we understand there are huge data gaps in understanding how activities conducted on the surface affect groundwater quality across the full spectrum of geographic conditions (including soil types and local weather conditions), there is extensive research on best management practices and how certain practices do impact groundwater. Yet, the GQMP does not acknowledge the information currently developed by both the agricultural industry and academia. Furthermore, the Plan does not present any sort of workplan on how to close those data gaps beyond waiting for the MPEP's results and a general literature review.

Education and Outreach

Outreach and education programs for growers within HVAs must be implemented, not just "where necessary". The ILRP requires education and outreach to all growers. Best practices are required of all growers and the GQMPs are supposed to identify additional practices that will achieve receiving water limitations within 10 years. Additionally, education programs need to be held more frequently than annually. We recognize the Plan states that at a minimum the programs will be held annually, but in areas where there is already nitrate contamination, and with crops that have a high potential for nitrate contamination, education programs must be held more frequently.

Nitrate impacts

The GQMP should include a plan to develop a timeline for nitrate travel to groundwater, rather than stating that "...the temporal delay of potential water quality impacts from surface activities prevents any direct evaluation of current or newly employed management practices..." The MPEP process will be focused on the impacts of surface practices to groundwater quality, but the GQMP should look into how long it takes for nitrates to seep into the groundwater within the different soil and geographic structures found within the Coalition's jurisdiction. The Plan references the GAR which states that nitrates can take 20-30 years to reach groundwater in the outer limit, and yet the Plan does not acknowledge the other end of the spectrum – how quickly nitrates can reach groundwater.

Thank you for providing us the opportunity to comment on these documents. We look forward to working with your staff and the coalitions on the implementation of this and other Groundwater Management Plans.



Phoebe Seaton
Executive Director
Leadership Counsel for Justice and Accountability



Laurel Firestone
Co-Executive Director and Attorney at Law
Community Water Center



Jennifer Clary
Water Policy Analyst
Clean Water Action